REMARKS

Upon entry of the present amendment, claims 1-32 will remain pending in the present application. Claims 1-32 are subject to a provisional nonstatutory obviousness-type double patenting rejection. Claims 13-20 stand rejected under 35 U.S.C. § 101 as being allegedly directed to non-statutory subject matter. Claims 1, 2, 4, 8-11, 13-16, 20-22, 24 and 28-31 stand rejected under 35 U.S.C. § 102(b) as being allegedly anticipated by United States Patent No. 6,070,191 ("Narendran"). Claims 3 and 23 stand rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over Narendran. Claims 5-7, 12, 17-19, 25-27 and 32 stand rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over Narendran in view of "Load Balancing a Cluster of Web Servers Using Distributed Packet Rewriting" ("Aversa"). Applicants respectfully traverse the rejections.

Specification

The specification is hereby amended to delete an embedded hyperlink.

Double Patenting Rejection

Claims 1-32 are subject to a provisional nonstatutory obviousness-type double patenting rejection over claims 13-20 of copending Application No. 11/468,613. Applicants will address this situation if and when one of these applications is in condition to issue as a patent.

Rejections under 35 U.S.C. § 101

Claims 13-20 stand rejected under 35 U.S.C. § 101 as being allegedly directed to non-statutory subject matter. In particular, the Office Action suggests that independent claim 13 be amended to recite that the server is a machine. Claim 13 is hereby amended to recite a "server computer," which is a machine. Accordingly, reconsideration and withdrawal of the 35 U.S.C. § 101 rejections are respectfully requested.

Rejections under 35 U.S.C. § 102

Claims 1, 2, 4, 8-11, 13-16, 20-22, 24 and 28-31 stand rejected under 35 U.S.C. § 102(b) as being allegedly anticipated by United States Patent No. 6,070,191 ("Narendran"). Applicants respectfully traverse.

Claims 1, 2, 4, 8-11, 21-22, 24 and 28-31

Independent claims 1 and 21 are directed to selecting a server from a plurality of servers to service a request for content. A director is designated from the plurality of servers. The director then selects a server to service the request from the plurality of servers. The director determines whether the content is present on the director.

Narendran discloses that a redirection server may select one of a plurality of document servers in accordance with various load balancing techniques. As noted in the Office Action with respect to claim 4 (see Office Action, Pg. 9), the redirection servers do not store content because they are redirection servers and not document servers. Thus, the redirection servers do not determine whether the content is present on the redirection servers. Rather, they merely determine which of the document servers have the requested content.

Thus, the Narendran does not teach or suggest "determining whether the content is present on the director," as recited in independent claims 1 and 21. Accordingly, Applicants respectfully submit that independent claims 1, 13 and 21 are not anticipated by Narendran. Applicants further submit that claims 2, 4, 8-11, 22, 24 and 28-31 are patentable at least by reason of their dependency.

Claims 13-16 and 20

Independent claim 13 is directed to a director server computer for directing a request for content among a plurality of server computers. The director server is one of the plurality of server computers. The director comprises a state table with parametric information for each server in the plurality of server computers, including the director itself since it is one of the plurality of server computers.

Narendran discloses that a redirection server may select one of a plurality of document servers in accordance with various load balancing techniques. As noted in the Office Action with respect to claim 4 (see Office Action, Pg. 9), the redirection servers do not

store content because they are redirection servers and not document servers. Thus, the redirection server does not store parametric information for itself because it cannot process the request. Rather, the redirection servers only store information about the document servers.

Thus, the Narendran does not teach or suggest "a state table comprising parametric information for each server in the plurality of server computers, said director server computer being one of the plurality of server computers," as recited in independent claim 13. Accordingly, Applicants respectfully submit that independent claim 13 is not anticipated by Narendran. Applicants further submit that claims 14-16 and 20 are patentable at least by reason of their dependency. Accordingly, reconsideration and withdrawal of the 35 U.S.C. § 102 rejections are respectfully requested.

Rejections under 35 U.S.C. § 103

Claims 3 and 23

Claims 3 and 23 stand rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over Narendran. Applicants respectfully traverse and submit that claims 3 and 23 are patentable at least by reason of their dependency.

Claims 5-7, 12, 17-19, 25-27 and 32

Claims 5-7, 12, 17-19, 25-27 and 32 stand rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over Narendran in view of "Load Balancing a Cluster of Web Servers Using Distributed Packet Rewriting" ("Aversa"). Applicants respectfully traverse and submit that independent claims 5-7, 12, 17-19, 25-27 and 32 are patentable at least by reason of their dependency. Accordingly, reconsideration and withdrawal of the 35 U.S.C. § 103(a) rejections are respectfully requested.

CONCLUSION

In view of the above amendments and remarks, Applicants respectfully submit that the present application is in condition for allowance. Applicants respectfully submit that no new matter is added in the above amendments. In view of the above amendments and following remarks, Applicants respectfully request reconsideration of the present application.

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